matter which applicants regard as the invention. The first basis of this rejection identified by the Examiner was that "the recited "urethane-based thickener" per claim 1 constitutes indefinite subject matter as per the metes and bounds of such engender an indeterminacy in scope." Applicant respectfully disagrees and invites the Examiner's attention to the specification which provides ample description of the thickener used in the subject method. More specifically, page 3, lines 35-38 describes the thickener as ". . . a nonionic, associative thickener . . . of the type normally used for viscosity and thixotropy modification of latex compounds . . ." Page 6, lines 26-29 further characterize said thickeners as "emulsions based on urethane compounds" (emphasis added) and "used as rheological modifiers for latex paints". Applicant respectfully asserts that the above descriptions provide sufficient foundation for determining the scope of claim 1 generally, and the term "urethane-based thickener" in particular.

The second basis of the Examiner's rejection of claim 1 was that the recited "water/thickener" constitutes indefinite subject matter as per it not being readily ascertainable as the intended meaning of the "/" symbol. Claim 1 has been amended to overcome its rejection under 35 USC § 112, 2nd paragraph and now is believed to particularly point out and distinctly claim the subject matter which applicant regards as his invention. Specifically, the term "water/thickener" which was intended to mean a combination of water and thickener has been replaced by the term "solution of said water and said thickener". These changes were made in accordance with the Examiner's suggestions as provided during a telephone interview this same date. Applicant extends its thanks to the Examiner for assisting with the redrafting of claim 1 which is now believed to be in condition for allowance. Because claim 2 depends from claim 1, applicant further believes this claim to be in condition for allowance as well.

II New Claims 3-10

New claims 3-10 have been added by and through this amendment and all depend, directly or indirectly, from independent claim 1. Dependent claims 3-10 are, accordingly, more narrow in scope than their base claim 1 and should therefore also be allowed. Proper antecedent basis for new claim 3 may be found at page 3, lines 35-36.

Proper antecedent basis for new claim 4 may be found at page 5, line 42. Proper antecedent basis for new claim 5 may be found at page 3, lines 40-45 and page 6, lines 1-4. Proper antecedent basis for new claim 6 may be found at page 5, lines 41-44.

III COPY OF CLAIMS

A copy of amended claim 1 with changes highlighted is attached hereto as Appendix "A". A copy of all claims, including claim 1 as amended but without highlights, is also attached hereto as Appendix "B".

IV FEES

No additional fees for claims are due as a result of this amendment. The appropriate fee for a two (2) month extension of time to respond to the Office Action is enclosed herewith.

V CONCLUSION

Based on the above amendments and remarks, Applicant believes this case is in condition for allowance and, therefore, a prompt Notice of Allowance is earnestly solicited.

Respectfully submitted,

Date: 2-20-02

Douglas Wm. Massinger. Esq.
USPTO Reg. No. 35,942
MASSINGER LAW OFFICE
113 N. Olive Street
Media, PA 19063
(610) 627-1661

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office Fax No. (703) 305-3597 on **February 20, 2002**.

Douglas Wm. Massinger

Appendix A
Claim 1 as amended - highlights added

1. (Amended) A method of forming an amine-free emulsion of an alkaline earth metal sulfonate compound, said method comprising the steps of:

a) adding a urethane-based thickener compound to water;
b) dispersing said thickener compound in said water by mixing until a uniform [water/thickener] solution <u>of said water and said thickener</u> is formed;
c) adding an alkaline earth metal sulfonate or sulfonate-containing mixture to said [water/thickener mixture] <u>solution of said water and said thickener</u>; and
d) mixing said alkaline earth metal sulfonate or sulfonate-containing mixture together with said [water/thickener] solution <u>of said water and said thickener</u> until a uniform emulsion is formed.

Appendix B
All claims pending as of February 20, 2002 Response

1. (Amended) A method of forming an amine-free emulsion of an alkaline earth metal sulfonate compound, said method comprising the steps of:

a) adding a urethane-based thickener compound to water;
b) dispersing said thickener compound in said water by mixing until a uniform solution of said water and said thickener is formed;
c) adding an alkaline earth metal sulfonate or sulfonate-containing mixture to said solution of said water and said thickener; and
d) mixing said alkaline earth metal sulfonate or sulfonate-containing mixture together with said solution of said water and said thickener until a uniform emulsion is formed.

2. An amine-free emulsion of an alkaline earth metal sulfonate compound prepared in accordance with the method of claim 1.

3. (New) The method of forming an amine-free emulsion of an alkaline earth metal sulfonate compound of claim 1, wherein said urethane-based thickener compound is a nonionic, associative thickener.

4. (New) The method of forming an amine-free emulsion of an alkaline earth metal sulfonate compound of claim 1, wherein said alkaline earth metal sulfonate or said sulfonate-containing mixture is overbased or neutral.

5. (New) The method of forming an amine-free emulsion of an alkaline earth metal sulfonate compound of claim 1, wherein said sulfonate-containing mixture is comprised of a sulfonate mixed with at least one additive selected from the group consisting of oils, waxes, microcrystalline waxes, petrolatums, tall oil fatty acids, calcium salts of oxidized petrolatums, nonionic surfactants, and linear alcohol/hydrocarbon mixtures.

6. (New) The method of forming an amine-free emulsion of an alkaline earth metal sulfonate compound of claim 1, wherein said alkaline earth metal sulfonate is calcium overbased sulfonate structurally modified to contain crystalline calcium carbonate.

7. (New) An amine-free emulsion of an alkaline earth metal sulfonate compound prepared in accordance with the method of claim 3.

8. (New) An amine-free emulsion of an alkaline earth metal sulfonate compound prepared in accordance with the method of claim 4.

9. (New) An amine-free emulsion of an alkaline earth metal sulfonate compound prepared in accordance with the method of claim 5.

10. (New) An amine-free emulsion of an alkaline earth metal sulfonate compound prepared in accordance with the method of claim 6.